

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, D. C.

ORDER NO. 1541

IN THE MATTER OF:

Application of TRANSEMANICS,	)	Served April 28, 1976
INC., for Certificate of Public	)	
Convenience and Necessity to	)	Application No. 901
Perform Charter Operations	)	Docket No. 307

By Application No. 901, dated December 24, 1975, Transemanics, Inc., seeks a certificate of public convenience and necessity pursuant to Title II, Article XII, Section 4(b) of the Compact to perform charter operations. Transemanics seeks authority to transport passengers, over irregular routes, in group sightseeing or pleasure tours, between points within the Metropolitan District. 1/

Pursuant to Order No. 1491, served January 29, 1976, a public hearing was held on March 8, 1976. No protests were filed to the application. The findings to be made by the Commission, after hearing, with respect to applications for certificates of public convenience and necessity are set forth in Title II, Article XII, Section 4(b) of the Compact. The Commission must make two separate findings. First, the applicant must be "fit, willing and able" to

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1/ The Compact, Title II, Article XII, Section 1(b) provides that the Commission does not have regulatory jurisdiction over transportation for hire of persons between points solely within the Commonwealth of Virginia. The Commission thus will not consider the application as requesting authority to perform operations between two points solely within the Commonwealth of Virginia.

perform the proposed transportation properly and to conform to the provisions of the Compact and the rules, regulations and requirements of the Commission thereunder. Second, the proposed transportation "must be or will be required" by the public convenience and necessity.

Transemantics is a District of Columbia corporation. It was formed in 1970 for the primary purpose of engaging in general linguistic and cultural training, general education in the field of languages and cultural activity. Transemantics has 59 full time employees, including staff and faculty, and 70 subcontractors concerned with translating, interpreting and tour guide services. It is comprised of seven separate divisions.

With respect to the application being considered herein, Transemantics has a division referred to as Omni-Tour guides. That division performs multilingual escort guide services and offers for sale taped tours in English and foreign languages. It advertises these services as either guided tours with licensed interpreter tour guides or self-guided Cassettour narrations. In addition, Omni-Tour guides have been used by certificated carriers when rendering charter service for foreign language oriented groups.

Transemantics submitted a balance sheet as of June 30, 1975, and a statement of income for the 12 month period ended June 30, 1975. The balance sheet indicates total assets \$163,411, including current assets \$152,915, current liabilities \$57,836, invested capital \$46,799, and retained earnings \$52,606. The income statement reflects revenues \$881,118 and expenses \$829,013. The reported net income after taxes was \$35,055 for the period.

Transemantics would provide three tours. The Grand Tour of the Nation's Capitol would cover more than 40 attractions, including The White House, the United States Capitol Building, the Jefferson Memorial, the Lincoln Memorial, Arlington National Cemetery, the new FBI Building, the Kennedy Center for the Performing Arts, and the Iwo Jima Memorial. The Georgetown and Embassy Row Tour would cover Georgetown and the embassies along Massachusetts Avenue, including the only Islamic mosque in North America, the National Observatory, the

National Cathedral, and Dumbarton Oaks. The third tour would cover Old Alexandria and Mount Vernon, Virginia, including a stop at Christ Church.

Transemantics would render the proposed charter tour service in either a mini-bus or limousine. The following table summarizes the approximate time and applicable fare for each tour.

<u>TOUR</u>	<u>TIME</u>	<u>MINI-BUS</u>	<u>LIMOUSINE</u>
Grand Tour	5 hours	\$ 55	\$ 60
Georgetown and Embassy Row	4 hours	44	55
Alexandria and Mount Vernon	4 hours	44	55

Transmantics would originate the tour service at any point in the Metropolitan District, including private residences. The service to be offered would be confined to one language per vehicle. There would be no commingling of groups. Rather, each group would have an exclusive, flexible and mobile tour service. Transemantics would present each group with a Cassettour tape as a souvenir. However, the charter sightseeing or pleasure tour narration would be performed by a licensed guide assigned to the group, who would explain the historical significance of the separate attractions and respond to individual questions.

Transemantics supported its application with several witnesses. These persons indicated that an increase in the visitor influx to the Metropolitan District was expected during the calendar year 1976. With respect to visitors from foreign countries, the number of tourists is projected to continue after the calendar year 1976. The witnesses indicated that the existing transportation system is not sufficient to service the needs of these visitors during the peak tourist seasons and that additional services were essential, particularly with respect to foreign language tour services. The record reflects a definite need for a tour organization capable of providing sightseeing or pleasure tours on a multi-lingual basis. In addition, the language barrier encountered by foreign visitors necessitates a flexible

service capable of providing transportation services round-trip from residences as well as hotels and motels.

The Commission finds that Transemantics is fit, willing and able to perform charter operations limited to sightseeing and pleasure tours. The Commission also finds that Transemantics would conform to the rules, regulations and requirements of the Commission thereunder. With respect to the public convenience and necessity, the Commission finds that members of the public need and the public interest would be served by Transemantics operation of charter sightseeing and pleasure tours between points within the Metropolitan District. Accordingly, the Commission shall grant, subject to the condition hereinafter imposed, Transemantics' Application No. 901.

The Compact bestows upon the Commission "the power to attach to the issuance of a certificate and to the exercise of rights granted thereunder such reasonable terms and conditions as the public convenience and necessity may require". See Compact, Title II, Article XII, Section 4(b). This grant of power to the Commission is subject to a restriction not herein relevant. The Commission believes that the authority granted Transemantics should contain a reasonable condition. The Commission finds that a vehicle restriction is required by the public convenience and necessity. Accordingly, Transemantics' charter authority shall be restricted to provide for transportation services in vehicles with a designed maximum passenger capacity which would accommodate not more than 15 passengers excluding the driver.

The Compact requires each carrier to "file with the Commission, and keep open to public inspection, tariffs showing (1) all fares it charges for transportation subject to this Act, . . . , and (2) to the extent required by regulations of the Commission, the regulations and practices of such carrier affecting such fares." See Compact, Title II, Article XII, Section 5(a). Transemantics, as previously set forth herein, has proposed rates applicable to each of its charter pleasure or sightseeing tours. Transemantics submitted a statement projecting revenues and revenue deductions for the period April 1, 1976 through March 31, 1977. The statement was based upon the use of a 12 passenger van and an 8 passenger

limousine. Transemanatics projected a daily average of three and one half charter movements by van at an average of \$50 per tour and a daily average of one and one half charter movements by limousine at an average of \$60 per tour. The statement projects revenues \$96,725 and revenue deductions \$85,282. The result would be \$11,443 income after taxes.

The Commission finds that the projected charter revenues would be compensatory. The Commission also finds that the proposed rate structure is just, reasonable and not unduly preferential or unduly discriminatory either between riders or sections of the Metropolitan District.

The Commission has considered the other matters presented by the record but finds they do not warrant action contrary to that which now is directed.

THEREFORE, IT IS ORDERED:

1. That Application No. 901 of Transemanatics, Inc., be, and it is hereby, granted.

2. That Transemanatics, Inc., be, and it is hereby, issued Certificate of Public Convenience and Necessity No. 34, as attached hereto and made a part hereof.

3. That Transemanatics, Inc., be, and it is hereby, directed to file two copies of WMATC Tariff No. 1 in accordance with the authority granted herein, such tariff to be effective upon acceptance by the Executive Director.

BY DIRECTION OF THE COMMISSION:



WILLIAM H. MCGILVERY  
Executive Director

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION  
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NO. 34

TRANSEMANTICS, INC.  
WASHINGTON, D. C.

By Order No. 1541, of the Washington Metropolitan Area Transit Commission issued April 28, 1976.

AFTER DUE INVESTIGATION, it appearing that the above-named carrier is entitled to receive authority from this Commission to engage in the transportation of passengers within the Washington Metropolitan Area Transit District as a carrier, for the reasons and subject to the limitations set forth in Order No. 1541.

THEREFORE, IT IS ORDERED, that the said carrier be, and it is hereby, granted this certificate of public convenience and necessity as evidence of the authority of the holder to engage in transportation as a carrier by motor vehicle; subject, however, to such terms, conditions and limitations as are now, or may hereafter be attached to the exercise of the privilege herein granted to the said carrier.

IT IS FURTHER ORDERED that the passenger transportation service to be performed by the said carrier shall be as specified below, except that this certificate does not authorize any intrastate transportation in the Commonwealth of Virginia:

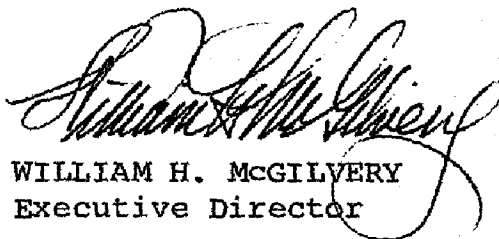
IRREGULAR ROUTES:

CHARTER OPERATIONS, sightseeing or pleasure tours, between points within the Metropolitan District.

RESTRICTED to transportation in vehicles with a designed passenger capacity of not more than 15 passengers excluding the driver.

AND IT IS FURTHER ORDERED and made a condition of this certificate that the holder thereof shall render reasonable, continuous and adequate service to the public in pursuance of the authority granted herein, and that failure so to do shall constitute sufficient grounds for suspension, change or revocation of the certificate.

BY DIRECTION OF THE COMMISSION:

A handwritten signature in dark ink, appearing to read "William H. McGilvery", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

WILLIAM H. MCGILVERY  
Executive Director